

appliances. They're the ones who have to shell out their hard-earned money when their washer breaks down. Unfortunately, it is the 81 million owners of washing machines in homes across the United States who were the only ones left out of this decision.

The average American family is not yet even aware of the proposed mandate. Mr. Speaker, how many working families do you know that come home after a long day at the office and sit down to read the tediously technical Federal Register every day? I can assure you—not many. It is for exactly this reason that I am raising this issue, Mr. Speaker, to make the public aware of the flawed regulations coming out of DOE.

Not only is the Federal Government going to take away their choice in the marketplace, but to add insult to injury, it is going to force them to shoulder the inordinate additional cost of meeting the new mandate. I don't know how many Members of Congress have been out shopping for a front-loading washing machine lately. But if they had, they would have come home with a clear case of sticker-shock. Many models meeting the proposed efficiency levels are well over \$1,000. Yes, I said over \$1,000 for a home washing machine. Compare that to the typical top-loading machine that sell for under \$400. Even by the scantest DOE calculation, the consumer will have to part with at least \$240 extra for washers that meet the new requirements. When it comes to the regulations on new air conditioners and heat pumps, the additional initial costs are estimated to be at least \$274 and \$486 respectively. All told that adds up to over a thousand more dollars per household. Again, those are the low estimates. The administration's own analyses show that millions of consumers will never be able to recoup the higher cost.

Low-income households, households with fewer occupants—such as senior citizens living alone—who use washers less frequently, and those households in areas where energy costs will be disproportionately harmed. Those who can least afford it are unlikely to ever recover the added additional cost.

Purchasing a new washer, air conditioner, or heat pump for one's home or apartment is not a trivial matter. These appliances cost several hundred dollars and the purchase is typically required with little if any ability to plan for such a large expenditure. Now the administration is making such a purchase much more expensive and eliminating consumer choice in the process.

Then, after having to pay hundreds more at the appliance showroom, the proposal provides for the manufacturers to recoup millions of taxpayer dollars. That's right—back-room deal includes \$60 million per manufacturer in tax breaks. Tax breaks for manufacturers—not the consumers. This new tax shelter for appliance manufacturers means that the U.S. taxpayer carries an even larger share of the Federal tax burden in addition to the higher appliance costs.

In crafting their backroom deal, the special interests—these so-called joint stakeholders—decided that U.S. consumers and taxpayers would gladly accept their decision. I for one, don't think they should. America was founded upon the fundamental principles of freedom. Freedom to choose our words, freedom to

choose the type and location of where we work, and the freedom to make individual choices in a free open marketplace. Government should not be in the business of regulation, for the sake of regulation. Too many Washington bureaucrats and lobbyists are spending too much of the taxpayers money on needless regulations.

Mr. Speaker, several points need to be made concerning these proposed regulations. First, the regulation would hurt working Americans by severely limiting what type of clothes washers, air conditioning, and heat pumps can be purchased. It forces homeowners to buy products that they have shown that they don't like. Front loading machines make up less than 10 percent of current washer sales. They are available out there in the marketplace, the simple fact is that the consumer doesn't want to buy them. The special interest groups have even publicly stated that American consumers simply don't want this type of washer.

Let me quote for you what some of the appliance manufacturers have said. "... selling it in the marketplace is easy if there's a standard in place. It's not a matter, necessary, of consumer acceptance." Another executive from the appliance industry claims, "... Federal standards provide the only meaningful route to appropriated higher energy efficiency for appliances, because consumers have historically shown a disinclination to pay more for products that are more environmentally friendly. That is true even when the total cost of owning and operating such products is less than that of current models."

Now here is where it gets downright sad. Taxpayer dollars are being spent for outlandish public relations event trumpeting the new mandates. The examples include tax dollars spent on a free country/western music concert series to promote the regulations and also to give away free washing machines to the people in Bern, Kansas, and Reading, Massachusetts to promote the front-loading washers.

Mr. Speaker, back on May 23, 2000, the Department of Energy stated that the new regulations would be proposed in June 2000. Finally in October, DOE gets around to publishing the proposal with a deadline for public comment only 60 days later. It would appear that after months of bureaucratic delay, the Energy Department now appears in a rush to regulate. Secretary Bill Richardson has been stated that the Department is "on a rush to establish a ... legacy."

The Department has done the absolute minimum it can to allow the people's voice to be heard by setting the minimum comment period of 60 days. Working Americans should not suffer as a result of gross bureaucratic delays and ineptitude. Americans should not have their input limited as a result of bureaucrats rushing through midnight regulations before the close of this administration. The Department has given Congress and the American people virtually no time to examine the new rules. The people deserve more time than the minimum to defend our rights.

That is why I have introduced legislation to extend this public comment period and to defend the people's right to fully participate in government and to retain some measure of control over own lives against an insatiable

administration, seeking ever-greater powers over them.

My bill would extend the public comment period on the flawed regulatory proposals pertaining to clothes washers, air conditioners, and heat pumps. I am proud that a bipartisan group of now over 20 esteemed colleagues have now joined me in my efforts.

Americans should be granted more than the absolute minimum 60 days allowed by law. The special interest groups had several years to craft this new mandate—the people need more than 2 months to respond. The special interest groups exploit the disparity to tread on the will of the people. This bill seeks to rectify that disparity and to protect the best interests of the people.

All the elements for a comment extension are present. Nearly all American families are directly and substantially affected, the inclinations and desires of the people are thwarted, the cost increase of the mandate is high—more than doubling costs in some cases, and a last minute rush for "Midnight Regulation" is being pursued by the administration.

Apart from the higher cost and reduced freedom of choice, the Administration has not been fair to consumers and taxpayers during the development of the standards. DOE is supposed to disclose potential standards and impact analyses in a public process. Instead it bases its regulatory decisions on proposals submitted by special interest groups meeting in backrooms. Persons and groups who normally would speak to—and defend—the interests of consumers and taxpayers, and who have in years past been invited to participate, have been excluded.

Congress must assure that consumers are protected against faulty administration regulations. A public comment period of 120 days is required, given that the public has been largely excluded from the entire rulemaking process. This additional time will allow a thorough review and evaluation and a proper determination that has the consumers best interests in mind. I urge all Members to join me and fight to stop the erosion of the free marketplace and to prevent the elimination of consumer choice.

#### THE WORK OF THE HOUSE OF REPRESENTATIVES IS NOT DONE

The SPEAKER pro tempore (Mr. THORNBERRY). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, this is the latest a Congress has met, absent a national emergency like World War II before an election. Now the work is not done. We do not yet have a fiscal year 2001 budget and the fiscal year began on October 1, which means that many essential government functions have yet to receive regular funding.

In an effort to achieve that, furious negotiations took place over the weekend. In fact, at 1:20 in the morning, night, agreement was reached between the Republicans in the House and the Senate, and the Democrats in the House and the Senate, and the White House.

There has been much talk on the other side of the aisle about the fact that the President was not in the room. They are right, the President was not in the room. They had 210 items in disagreement. This was grinding work for legislators and staff, but the President did something that the Republican leadership did not do. The President empowered and sent his head of office of management and budget and gave him the authority to negotiate and said I will stand behind you. Go get the best deal you can get.

At 1:20 in the morning the people in the room decided they had the best deal they could get. Now, the next morning, the President stood behind his negotiator. The Republicans in the Senate stood behind their negotiator. The Democrats on the Senate stood behind their negotiator. The Democrats in the House stood behind their negotiator, but the whole agreement was blown up and Congress is still here because of one group, the Republican leadership.

When their negotiator came in who they had thought, he thought they had, empowered to negotiate for them, they said you did what? You did what? You reached an agreement on workplace health and safety? Do you not know that the people who are paying for our elections, paying for us to keep the House of Representatives and win the Presidency object to that. And the phone has been ringing off the hook. They already heard about it.

The National Association of Manufacturers called. The U.S. Chamber of Commerce called. By God we would not even want to have contingent, contingent workplace health and safety regulations, which is what the agreement was. Everybody says we do not know who the President is going to be, and what the Republicans negotiated was we will have new workplace health and safety regulations, but they will not go into effect until next June.

Apparently, the Republican leadership who is touting they are leading in the polls for the House and for the Presidency does not even trust their candidate for President not to sign these reasonable workplace health and safety regulations come next June, because they blew up the negotiations.

Since then they have pretended, by keeping us here, that we are negotiating. We are not negotiating. In fact, the Republican who last night, the leader who stood up to engage in the discourse with the Democrat side of the aisle, when he was asked where and when will the negotiators next meet, he said, we will get back to you on that. Well, guess what? They have not called. They have not called.

The Senate left town in disgust, Democrats and Republicans alike. We are still here, and they are pretending that they are being reasonable in negotiating, because they are trying

through a stealth agenda to hide what they are going to do if they control everything next year, and that is something people need to think about is what if they control everything. Workplace health and safety increases out the window. Deal with global warming, very serious problem, no way. They do not believe in it.

How about the oil companies? The oil companies are gouging the heck out of the American people. I have introduced legislation here to deal with that problem. No, cannot deal with the oil companies. They are big contributors too.

We heard earlier about a Medicare prescription drug benefit. Well, that was pretty inaccurate, because actually what the so-called bipartisan agreement which had about a dozen Democrats on it, Blue Dogs, that passed here was not on Medicare. It was to set up a new, very expensive, privatized system of pharmaceutical coverage for seniors that provided actually nothing. Because the head of the Health Insurance Industry of America said, well, you know, we are really not interested. None of my companies are interested in offering a pharmaceutical benefit only.

Then the Republicans came up with a new plan, we will bribe you to do that. We will give subsidies to you. We will give you the subsidies. You get the subsidies, you take them, no matter what, if you say you will offer a plan, with no conditions on the plans they will offer, no conditions on deductibles, no conditions on who they would reline out and not cover, no conditions on patients' appeals or rights.

They said that is not enough, some of those drugs are pretty expensive. They said well, we do not want to get in the face of the pharmaceutical industry, then they give subsidies to the pharmaceutical industry also. This is a farce.

#### REFUTING STATEMENTS REGARDING LACK OF PROGRESS OF THE 106TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I am here in Washington, D.C. representing the constituents of the 16th district in Florida, and I have heard a lot of conversation tonight about the lack of progress of this Congress. I must refute those statements vehemently and personally.

I came to Congress in 1994 with a freshman class of the 104th Congress. What we inherited at that time was 40 years of Democratic leadership which brought us to record deficits, annual deficits, huge amount of monies owed, the U.S. Treasury or the taxpayers, \$5.7 trillion of accumulated debt, a government that was spending money out of Social Security, Medicare and every

other trust fund that they could find, and borrowing money out of Social Security in order to camouflage the real size of the deficit annually.

When we were elected, we were told that we could expect, if we allowed the President and the majority party at that time to continue their spending ways, we would be probably this year spending in excess of \$200 billion or \$300 billion over and above what came in in revenues.

Interestingly, 6 years later, as I am about to celebrate my sixth anniversary of being elected to this important and fine office, we have a balanced budget. We have welfare reform. We have reduced capital gains, which has led to the largest expansion on Wall Street and more income made by Americans in the equity markets than in our history.

We have increased Medicare funding, and we have created a lockbox hopefully for Social Security. We have passed a marriage penalty elimination, but the President vetoed it. We passed estate tax relief, but the President vetoed it. We passed a repeal of a phone tax, but the President vetoed it.

Mr. Speaker, we have restored military funding that was cut by this administration year after year. The White House sent us budgets that were inadequate for our military, and the Republican majority had to step up and make certain that our men and women in uniform were not only properly funded, trained, but that the personnel support that they need, the transportation support that they needed would, in fact, be there in a time of crisis.

People say we are just sitting around doing nothing, I think when you have a fight over real issues, then it is worth staying. We can go back to the ways of yesterday and spend, spend, spend to our heart's content and not care about the voters, because after all it is all about Members of Congress. I have to get elected, so I have to bribe my constituents in order to make sure they vote for me. So they spend money just willy nilly out of the pockets.

It is not theirs to pay, it just comes in the form of borrowed notes; and we fund the government excessively. We are here today over a few very, very minor issues. Yes, it was stated the President is away. He is in California.

There are other Members of their side of the aisle away campaigning, because, after all, control of Congress is more important than doing the people's work, being in charge somehow around here is more important than accomplishment. I always heard from my parents put people before your politics, make certain you take care of those who cannot take care of themselves.

As a Member of Congress, I voted for Head Start and a number of programs that the minority side has asked for. But at the same time, I recognize we have to have some fiscal restraint.